

LLOYD BAKER, ESQ.
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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Cleve Wallace, individually,
Quintin Wallace, individually,

Plaintiffs,

vs.

Case No. :2:10-cv-01660

CITY OF NORTH LAS VEGAS;
NORTH LAS VEGAS POLICE DEPARTMENT
a political subdivision of the STATE OF NEVADA;
OFFICER SANTOS; OFFICER JACKSON;
OFFICER CORDOVA, individually and in
their capacity as police officers employed by the
City of North Las Vegas Police Department;
Doe Officers IV through X, inclusive and
JOHN DOES I through X, inclusive

Defendants.

EX PARTE APPLICATION TO EXTEND TIME FOR SERVICE OF PROCESS

Plaintiffs, CLEVE WALLACE and QUINTIN WALLACE, by and through their attorneys,
LLOYD W. BAKER, ESQ. and CHRISTIAN M. MORRIS, ESQ., of BAKER LAW OFFICE,
hereby moves this Court pursuant to Federal Rules of Civil Procedure Rule 6(b)(1) (B) for an order
extending the time limit for serving the Summons in this matter.

Plaintiff has been unable to serve Defendant, OFFICER CORDOVA, with the Summons and
Complaint. Despite diligent efforts to locate and serve the Defendant, he has not been successfully
served and the 120 day time limit imposed by FRCP Rule 4(I)(m).

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Therefore Plaintiff moves this Court to extend the time limit for serving the Summons and Complaint. This Application is based upon the Affidavit attached hereto.

DATED this 14th day of January, 2011.

BAKER LAW OFFICES

BY: 

LLOYD W. BAKER, ESQ.

Nevada Bar No. 6893

CHRISTIAN M. MORRIS, ESQ.

Nevada Bar No.: 11218

500 South Eighth Street

Las Vegas, Nevada 89101

Attorneys for Plaintiff

THE SUMMONS AND COMPLAINT SHALL BE SERVED BY
MARCH 18, 2011.

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: 1-18-11

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AFFIDAVIT OF COUNSEL IN SUPPORT OF EX PARTE APPLICATION TO EXTEND
TIME FOR SERVICE OF PROCESS

STATE OF NEVADA)
) ss.:
COUNTY OF CLARK)

JENIFFER WINGET, being duly sworn, deposes as says under the penalty of perjury as follows:

1. I am an employee of BAKER LAW OFFICES, maintaining offices at 500 South Eighth Street, Las Vegas, Nevada 89101 and that our office represents the Plaintiffs in the within action.
2. That if called upon to testify as to the following facts, I would and could competently testify to these facts based upon my personal knowledge and my personal participation as an employee of the counsel of record for Plaintiff in connection with this litigation.
3. As set forth in the Application to Extend Time for Service of Process, the Defendant, Benjamin Cordova, has been avoiding service of process and Plaintiffs has been unable to serve Defendant with the Summons and Complaint despite using professional process servers.
4. On 09/20/2010, Zachary A. Van Dette of Paradigm Attorney Service, Inc., attempted to serve within SUMMONS and COMPLAINT upon Officer Benjamin Cordova at the North Las Vegas Police Department. That the North Las Vegas Police Department refused service due to Officer Benjamin Cordova not being employed by them at that time. See Exhibit 1.
5. On 10/12/2010, Craig Burton of Paradigm Attorney Service, Inc., performed a SKIPTRACE upon Officer Benjamin Cordova. That the SKIPTRACE, returned a last known address as 3924 Vista Largo Dr., Las Vegas, NV 89030. See Exhibit 2.
6. On 10/15/2010, Zachary A. Van Dette of Paradigm Attorney Service, Inc., attempted to serve SUMMONS and COMPLAINT upon Officer Benjamin Cordova at 3924 Vista Largo Dr., but was unable to serve Defendant Cordova. See Attached as Exhibit 3.

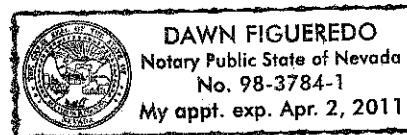
- 1 7. That I contacted Craig Burton of Paradigm Attorney Service via telephonically and
 2 he stated that after North Las Vegas Police Department refusal of service in behalf
 3 of Officer Benjamin Cordova, he contacted the NLVPD Risk Management via
 4 telephonically. He further stated that he spoke to a NLVPD Risk Management
 5 employee who stated that since Defendant Officer Benjamin Cordova was an
 6 employee of North Las Vegas Police Department and the nature of the Plaintiffs'
 7 Complaint happened during Officer Cordova employment with NLVPD they would
 8 accept service in behalf of Officer Benjamin Cordova.
- 9 8. That Craig Burton, of Paradigm Attorney Service, informed me via telephone that
 10 he had failed to timely return and attempt service of the Summons and Complaint
 11 upon Defendant Officer Cordova through the North Las Vegas Police Department
 12 a second time following his conversation with their Risk Management Department.
- 13 9. That Craig Burton of Paradigm Attorney Service, is now in the process of serving the
 14 SUMMONS and COMPLAINT upon Officer Cordova at the North Las Vegas Police
 15 Department.
- 16 10. That if the service upon Defendant Officer Benjamin Cordova can not be completed
 17 through the NLVPD. Craig Burton of Paradigm attorney service will attempt to
 18 complete service thru publication.

19 DATED this 14th day of January, 2011.

20 SUBSCRIBED and SWORN to before me
 21 this 14th day of January, 2011.

22 Dawn Figueredo
 23 NOTARY PUBLIC in and for
 24 Said County of Clark and State of Nevada

25 Jennifer Winget
 26 Jennifer Winget



27 Respectfully Submitted By:
 28 BAKER LAW OFFICES

BY:

Christian M. Morris
 LLOYD W. BAKER, ESQ.
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